

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SAMANTHA DEINERT, an individual;  
and SETH DEINERT, an individual;

Plaintiffs,

vs.

PORTABLE STORAGE OF NEBRASKA  
LLC, a Nebraska Limited Liability  
Company; and PODS  
ENTERPRISES, LLC, a Florida Limited  
Liability Company;

Defendants.

**4:21CV3016**

**FINAL PROGRESSION ORDER  
(AMENDED)**

IT IS ORDERED that the parties' joint motion to extend progression order deadlines is granted. (Filing No. 14). The final progression order is amended as follows:

- 1) The trial and pretrial conference will not be set at this time. The status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings scheduled for August 3, 2021 is continued. It will be held with the undersigned magistrate judge on **September 21, 2021 at 12:00 p.m. (noon)** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The parties do not anticipate calling experts to testify at trial. Any motion to exclude expert testimony on *Daubert* and related grounds shall be filed by October 8, 2021.
- 3) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is September 1, 2021.
- 4) The deadline for filing motions to dismiss and motions for summary judgment is October 8, 2021.
- 5) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on

them prior to the first day of trial. Counsel should plan accordingly.

- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 16th day of July, 2021.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge